

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

STEVEN WALKER,

Plaintiff,

v.

Case No. 20-cv-11688  
Hon. Paul D. Borman

RYAN TRANSPORTATION, INC., a  
Michigan corporation,

Defendant.

ERIC STEMPIEN (P58703) STEMPIEN LAW, PLLC Attorneys for Plaintiff 38701 Seven Mile Rd., Suite 130 Livonia, MI 48152 (734)744-7002 <a href="mailto:eric@stempien.com">eric@stempien.com</a>	/	MARY C. DIRKES (P42723) STEPHEN P. DUNN (P68711) BRANDON J. WILSON (P73042) HOWARD & HOWARD ATTORNEYS, PLLC Attorneys for Defendant 450 W. Fourth Street Royal Oak, MI 48067 (248) 645-1483 <a href="mailto:mdirkes@howardandhoward.com">mdirkes@howardandhoward.com</a> <a href="mailto:spd@h2law.com">spd@h2law.com</a> <a href="mailto:bjw@h2law.com">bjw@h2law.com</a>
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**PLAINTIFF/COUNTER-DEFENDANT'S ANSWER TO COUNTERCLAIM**

Plaintiff/Counter-Defendant Steven Walker, by and through his attorneys, Stempien Law, PLLC, hereby answers Defendant/Counter-Plaintiff Ryan Transportation, Inc.'s Counterclaim, and in support thereof states:

1. Plaintiff/Counter-Defendant neither admits nor denies the allegations contained in this paragraph of the Counterclaim but leaves Defendant/Counter-Plaintiff to its proofs.
2. Admit.
3. Plaintiff/Counter-Defendant admits that this Court has the authority to assert supplemental jurisdiction over Defendant/Counter-Plaintiff's Counterclaim.
4. Admit.
5. Admit.
6. Plaintiff/Counter-Defendant neither admits nor denies the allegations contained in this paragraph of the Counterclaim but leaves Defendant/Counter-Plaintiff to its proofs.
7. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.
8. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.
9. Plaintiff/Counter-Defendant neither admits nor denies the allegations contained in this paragraph of the Counterclaim but leaves Defendant/Counter-Plaintiff to its proofs.
10. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

11. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

12. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

13. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

14. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

15. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

**COUNT I – FRAUDULENT MISREPRESENTATION**

16. Plaintiff/Counter-Defendant hereby incorporates by reference all previous paragraphs of this Answer as if fully set forth herein.

17. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

18. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

19. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

20. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

21. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

22. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

23. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

24. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

25. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

26. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

**COUNT II – UNJUST ENRICHMENT**

27. Plaintiff/Counter-Defendant hereby incorporates by reference all previous paragraphs of this Complaint as if fully set forth herein.

28. Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

29.Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

30.Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

31.Plaintiff/Counter-Defendant denies the allegations in this paragraph of the Counterclaim because they are untrue.

WHEREFORE, Plaintiff/Counter-Defendant Steven Walker respectfully requests that this Honorable Court enter a judgment of no cause of action as to Defendant/Counter-Plaintiff's Counterclaim and/or enter an order of dismissal as to Defendant/Counter-Plaintiff's Counterclaim, dismissing the Counterclaim in its entirety with prejudice, and award Plaintiff/Counter-Defendant actual costs and attorney fees for having to defend this frivolous Counterclaim.

STEMPIEN LAW, PLLC

/s/ Eric Stempien  
By: Eric Stempien (P58703)  
Attorney for Plaintiff

Dated: September 1, 2020

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 1, 2020, I did serve the foregoing pleading with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record registered for electronic filing.

/s/ Shawn L. Barrows  
Shawn L. Barrows, Legal Assistant  
38701 Seven Mile Road, Suite 130  
Livonia, MI 48152  
(734) 744-7002  
[shawn@stempien.com](mailto:shawn@stempien.com)

Dated: September 1, 2020